

1 KEVIN V. RYAN (CSBN 118321)  
United States Attorney

2 EUMI L. CHOI (WVBN 0722)  
3 Chief, Criminal Division

4 CANDICE K. JAN (CSBN 225749)  
Assistant United States Attorney

5 1301 Clay Street Suite 340S  
6 Oakland, California 94612-5217  
7 Telephone: (510) 637-3699  
FAX: (510) 637-3724

8 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION  
12

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 HOWARD NEIL FLYNT,

17 Defendant.

No.CR 05-00486 MJJ

18 ~~PROPOSED~~ ORDER AND  
STIPULATION EXCLUDING TIME  
FROM AUGUST 16, 2005 TO OCTOBER  
6, 2005 FROM THE SPEEDY TRIAL ACT  
CALCULATION  
(18 U.S.C. § 3161(h)(8)(A))

OAKLAND VENUE

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20 The parties appeared before the Court on August 16, 2005. With the agreement of the  
21 parties, and with the consent of the defendant, the Court enters this order documenting the  
22 exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), from August 16, 2005  
23 to October 6, 2005. The parties agreed, and the Court found and held, as follows:

24 1. The defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to  
25 grant the requested continuance would unreasonably deny both government and defense counsel  
26 reasonable time necessary for effective preparation, taking into account the exercise of due  
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28 ~~PROPOSED~~ ORDER AND STIPULATION EXCLUDING TIME FROM AUGUST 16, 2005  
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1 diligence, and would deny the defendant and the government continuity of counsel.

2 4. Given these circumstances, the Court found that the ends of justice served by  
3 excluding the period from August 16, 2005 to October 6, 2005, outweigh the best interest of the  
4 public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

5 5. Accordingly, and with the consent of the defendant, the Court ordered that the period  
6 from August 16, 2005 to October 6, 2005 be excluded from Speedy Trial Act calculations under  
7 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

8 4. The Court scheduled a new hearing for status on October 6, 2005, at 2:00 p.m., before  
9 the Honorable Martin J. Jenkins.

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11 IT IS SO STIPULATED.

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13 DATED: 9/19/05

  
CANDICE S. JAN  
Special Assistant United States Attorney

14  
15  
16 DATED: 9/20/05

  
JOYCE LEAVITT  
Attorney for: HOWARD NEIL FLYNT

17  
18 IT IS SO ORDERED.

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20 DATED: 9/21/2005

  
HON. MARTIN J. JENKINS  
United States District Court Judge

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28 **[PROPOSED] ORDER AND STIPULATION EXCLUDING TIME FROM AUGUST 16, 2005  
TO OCTOBER 6, 2005 FROM THE SPEEDY TRIAL ACT CALCULATION (18 U.S.C. §  
3161(h)(8)(A))**  
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